

Message Text

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ORIGIN EB-07

INFO OCT-01 ARA-06 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

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DRAFTED BY EB/AN:AJRIMAS:DAP

APPROVED BY EB/AN:WBCOBB

CAB - D. LITTON

ARA/BR - J. SLATTERY

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O R 212111Z JUL 75

FM SECSTATE WASHDC

TO AMEMBASSY BRASILIA IMMEDIATE

INFO AMCONSUL RIO DE JANEIRO

AMCONSUL SAO PAULO

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E.O. 11652:N/A

TAGS: EAIR, BR

SUBJECT: CIVAIR: VARIG SCHEDULE FILING AND REQUEST FOR
BILATERAL US-GOB CIVAIR CONSULTATIONS

REF: BRASILIA 5886

1. CAB ON JULY 21 RELEASED PART 213 ORDER REQUIRING VARIG
TO FILE SCHEDULES. TEXT OF ORDER BEING TRANSMITTED SEPTTEL.
EMBASSY IS REQUESTED TO INFORM APPROPRIATE GOB AUTHORITIES
OF ABOVE AND TO REQUEST BILATERAL CIVAIR CONSULTATIONS.
EMBASSY'S REQUEST NOTE SHOULD BE ALONG LINES OF TEXT
PROVIDED PARA 2 BELOW.

2. "...AND HAS THE HONOR TO REFER TO THE AIR TRANSPORT
SERVICES AGREEMENT OF SEPTEMBER 6, 1946, AS AMENDED, BETWEEN
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THE UNITED STATES OF AMERICA AND THE UNITED STATES OF

BRAZIL. THE EMBASSY OF THE UNITED STATES HEREBY INFORMS THE MINISTRY OF EXTERNAL AFFAIRS THAT THE GOVERNMENT OF THE UNITED STATES REQUESTS BILATERAL CONSULTATIONS WITH THE GOVERNMENT OF BRAZIL PURSUANT TO THE TERMS OF THE SAID AGREEMENT WITH SPECIAL REFERENCE TO PARA 2 OF THE PROTOCOL OF SIGNATURE. DURING THE PROPOSED CONSULTATIONS, THE UNITED STATES DELEGATION WOULD WISH TO DISCUSS ACCESS BY

UNITED STATES DESIGNATED AIRLINES TO CONGONHAS AIRPORT AT SAO PAULO, AS WELL AS THE RELATED QUESTION OF CHANGE OF GAUGE. IN ADDITION, THE US PROPOSES THAT THE OPPORTUNITY PRESENTED BY THE CONSULTATIONS BETWEEN AVIATION DELEGATIONS BE USED TO DISCUSS CHARTER AIR SERVICE QUESTIONS.

"COMPLIMENTARY CLOSE."

3. DEPARTMENT HAS CONSIDERED POINTS RAISED PARA 3 REFTTEL. WE WOULD NOT WISH TO REFER SPECIFICALLY TO ARTICLE VIII SINCE WE ARE NEITHER SEEKING TO "MODIFY TERMS OF THE ANNEX" NOR TO DISCUSS "EXERCISE OF THE RIGHTS SPECIFIED IN ARTICLE VI." ARTICLE IV OF ANNEX HAS LIMITED APPLICABILITY BECAUSE OF ITS REFERENCE TO CAPACITY AND WAS RULED OUT ACCORDINGLY. WORDING RE ARTICLE 2 OF PROTOCOL IN SUGGESTED TEXT OF NOTE INTENDED TO HIGHLIGHT CONGONHAS AS KEY ISSUE FOR TALKS BUT IS NOT INTENDED TO PRECLUDE FROM DISCUSSION OTHER ITEMS OF CONCERN OF EITHER PARTY.

4. DEPARTMENT NOT YET IN A POSITION TO PROPOSE DATE OR VENUE FOR TALKS, BUT WILL DO SO ASAP. SINCE US REQUESTING TALKS, WE RECOGNIZE WE MAY BE OBLIGED MEET IN BRAZIL IF GOB DESIRES, BUT MEETING IN WASHINGTON WOULD OF COURSE BE ACCEPTABLE. KISSINGER

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